



**A. Diversity Jurisdiction under 28 U.S.C. §§ 1332(a), 1441(a)**

Pursuant to 28 U.S.C. § 1332(a), federal courts have original jurisdiction over all civil actions between citizens of different States and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest or costs. *See* 28 U.S.C. § 1332(a). This action satisfies all such requirements.

The Defendant and Plaintiff in this matter are citizens of different States. Upon information and belief, Plaintiff is a citizen and resident of Nashville, Davidson County, Tennessee. *See* Compl. ¶ 1. Defendant GCA Services is a Delaware Corporation with its principal place of business in Cleveland, Ohio. Because GCA Services is not a citizen of Tennessee, the requirement of complete diversity is satisfied. *See* 28 U.S.C. § 1332(a).

This action is of a civil nature and involves a controversy wholly between citizens of different states, and the value of the matter in dispute in said cause exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, as appears from the allegations contained in Plaintiff's Complaint, and said action is one over which the District Court of the United States has original jurisdiction.

**III. INITIAL SERVICE OF COMPLAINT**

On May 14, 2012, Plaintiff served on GCA Services, by personal service to GCA Services' registered agent, a summons and copy of the Complaint. Thus, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) because it was filed within 30 days of Defendant's receipt of the Complaint. *See, e.g., Page v. City of Southfield*, 45 F.3d 128, 130 n.1 (6th Cir. 1995).

#### **IV. VENUE OF REMOVED ACTION**

Venue of this removed action is proper pursuant to 28 U.S.C. § 1446(a) because this Court is the United States District Court for the district and division embracing the place wherein the removed action was pending.

#### **V. PLEADINGS IN THE STATE COURT ACTION**

Pursuant to 28 U.S.C. § 1446(d), Defendants are filing this Notice of Removal with this Court, serving a copy of the Notice upon all counsel of record, and filing a copy in the Circuit Court of Davidson County, Tennessee. Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of the summons and Plaintiff's Complaint, as well as all additional papers on file with the state court, are attached hereto as Exhibit A. The summons and Plaintiff's Complaint are the only documents that Defendants received in this action.

#### **VI. NOTICES**

A copy of this Notice of Removal is being served by U.S. mail on counsel for Plaintiff, and a Notice of Filing of Notice of Removal is being filed with the Knox County Circuit Court, in accordance with 28 U.S.C. § 1446(d). (Copies of those notices are attached as Exhibit B.) The necessary filing fees have been paid simultaneously with the filing of the Notice of Removal.

#### **CONCLUSION**

WHEREFORE, Defendant, GCA Services Group, Inc., respectfully request that this action, now pending as Case No. 12C1884 in the Circuit Court of Davidson County, Tennessee, be removed to this Court, and that this Court proceed with the case as if originally initiated herein.

/s Lisa Ramsay Cole

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*Attorneys for Defendant*

### CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served on the following counsel of record in the manner of service indicated below:

☐

By placing postage prepaid envelope in United States Mail Service, addressed to:

Nina Parsley  
Michael D. Ponce & Associates  
1000 Jackson Road, Suite 225  
Goodlettsville, TN 37072

☐

By placing document in third party express delivery carrier, i.e., Federal Express, for overnight delivery to the following counsel of record:

☐

By sending document via facsimile to:

☐

By sending document via email to:

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By causing the foregoing to be hand delivered to counsel of record at the following address on this \_\_\_\_\_ day of June, 2012:

This the 13<sup>th</sup> day of June, 2012.

\_\_\_\_\_  
/s Lisa Ramsay Cole